

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.) No. 3:06-CR-54
) (JORDAN/SHIRLEY)
JAMES ALLEN JONES,)
)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court on Defendant's Counsel's Motion to Withdraw as Counsel [Doc. 41], Defendant's *Pro Se* Affidavit for Dismissal Attorney [Doc. 36-2], and Defendant's *Pro Se* Notice of Self Representation [Doc. 36]. A hearing was held on the above motions on December 18, 2006. Charles Atchley, Assistant United States Attorney, was present, representing the government. Attorney Charles Burks was present, representing the defendant, who was also present.

During the hearing, the defendant was informed of the requirements and responsibilities inherent in proceeding *pro se*, along with his constitutional right to do so. After an off the records discussion with his attorney, Mr. Burks, the defendant verbally announced that he would like to keep Mr. Burks on as his attorney, and that he did not believe proceeding *pro se* would be in his best interest. Subsequently, Mr. Burks verbally withdrew his Motion to Withdraw as Counsel [Doc. 41]. Accordingly, Defendant's *Pro Se* Affidavit for Dismissal Attorney [Doc. 36-2],

Defendant's *Pro Se* Notice of Self Representation [Doc. 36], and Defendant's Counsel's Motion to Withdraw as Counsel [Doc. 41] are **DENIED as moot.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge